

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

RANDALL HAMPTON, # 226420,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:06cv400-MHT
)	
PRISON HEALTH SERVS., INC., <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On August 21, 2006 (doc. no. 17), the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge which is hereby adopted, it is

ORDERED and ADJUDGED as follows that:

1. The plaintiff's claims against the Alabama Department of Corrections be and are hereby DISMISSED prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i);
2. The Alabama Department of Corrections be and is hereby DISMISSED as a party in this cause of action;
3. This case, with respect to the plaintiff's claims against the remaining defendants, be and is hereby REFERRED BACK to the Magistrate Judge for further proceedings.

DONE, this the 14th day of September, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE